

Harambee for Kenya Global Safeguarding Policy

1. Purpose

1.1 The purpose of this policy is to protect all individuals who come into contact with Harambee for Kenya through its work, including children, vulnerable adults, and staff/ associated representatives from any form of harm or abuse. It confirms the contractual and moral responsibilities of staff, contractors, partners and volunteers to safeguard children, young people, and vulnerable adults in all areas of Harambee for Kenya's work.

This includes harm arising from:

- The conduct of staff or representatives associated with Harambee for Kenya.
- The design and implementation of Harambee for Kenya's programmes and activities.

This policy does not cover:

- Safeguarding concerns in the wider community not perpetrated by Harambee for Kenya or associated representatives.

2. Scope

2.1 This is a global policy and applies to all staff across Harambee for Kenya and to representatives whilst engaged with work or visits related to Harambee for Kenya's work, including but not limited to the following: consultants; volunteers; contractors; partners; programme visitors; and trustees.

Legal Framework – Kenya

2.2 Article 53 of the Constitution of Kenya 2010 details the rights of a child which include the right to be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment and punishment, and hazardous or exploitative behaviour. The provision further embodies the Best Interest Principle as matter of paramount importance in every matter concerning the child.

2.3 The Children's Act 2001 is the guiding statute with regards to children's matters.

2.4 Section 36 of the Basic Education Act 2013 prohibits torture, inhuman and degrading treatment or punishment against the child be it physical or psychological.

Legal Framework – United Kingdom

2.5 Legislation provides the framework for safeguarding and child protection in England. It makes clear the expectations and requirements around duties of care to children and creates accountability for these.

2.6 The main legislation in England is the Children Act 1989, the Children Act 2004 and the Children and Social Work Act 2017.

Convention on the rights of the child

2.7 This Policy is in accordance with the UN Convention on the Rights of the Child (UNCRC).

2.8 Harambee for Kenya defines a child as anyone under the age of 18 in line with the UN Convention on the Rights of the Child definition.

3. What is safeguarding?

3.1 Safeguarding is the responsibility that organisations have to ensure their staff, associated representatives, and programmes do no harm. Safeguarding people includes, but is not limited to, safeguarding against harassment, sexual harassment, bullying or cyber bullying, discrimination, exploitation or abuse, safeguarding children, safeguarding vulnerable adults, and health, welfare, safety and security.

4. Policy Statement

4.1 At Harambee for Kenya we are committed to the safeguarding and wellbeing of all individuals who we come into contact with, including the people in communities in which we work, staff, volunteers, contractors, and partners. Harambee for Kenya will not tolerate its employees, volunteers, consultants, partners or any other representatives associated with the delivery of its work engaging in, or being subjected to, any form of exploitation or abuse.

4.2 In accordance with Harambee for Kenya's Global Code of Conduct Harambee for Kenya's staff and representatives will not:

- Engage in any form of sexual activity with anyone under the age of 18 including online offending.
- Sexually abuse or exploit children or vulnerable adults.
- Subject a child or vulnerable adult to physical, emotional or psychological abuse, neglect or harassment.
- Engage in any commercially exploitative activities with children or vulnerable adults including child labour or trafficking in persons.
- Exchange money, employment, goods or services for any form of sexual activity. This includes any exchange of assistance that is due from Harambee for Kenya to communities.
- Engage in any sexual relationships with individuals receiving assistance since there are inherently based upon unequal power dynamics.
- Put a child or vulnerable adult at risk as a result of Harambee for Kenya's activities, either through individual action, inaction, events, or programme design and implementation. This

includes the way in which we gather and communicate information about individuals in our programmes, since there are inherently unequal power dynamics.

4.3 Harambee for Kenya staff and associated representatives are obliged to:

- Contribute to creating and maintaining an environment that prevents safeguarding violations and promotes the implementation of Harambee for Kenya's Safeguarding Policy and Procedures, as well as the implementation of local safeguarding arrangements.
- Report any concerns or suspicions to Harambee for Kenya regarding safeguarding violations by a Harambee for Kenya staff member or associated representative using the reporting mechanisms in place. See Section 5 and 6 for reporting mechanisms.

4.4 Harambee for Kenya will:

- Design and implement programmes and projects which ensure that children and vulnerable adults are protected from risk of harm.
- Seek assurance and conduct robust due diligence on all of Harambee for Kenya's partners in respect of their safeguarding policies and procedures.
- Operate strict safer recruiting practices to ensure all staff, contractors and volunteers are appropriate for their roles and do not pose a risk to others in line with Harambee for Kenya's Disclosure Policy.
- Comply with all statutory reporting requirements such as the UK Charity Commission, Kenya NGO Board and donor safeguarding responsibilities.

5. Reporting a concern

5.1 Harambee for Kenya will ensure that safe, appropriate, and accessible means of reporting safeguarding concerns are made available to all staff, associated representatives, partners and the communities in which we work.

6. How to report a concern

6.1 Staff members who have a complaint or concern relating to safeguarding should report it immediately to their line manager. If the staff member does not feel comfortable reporting to their line manager (for example if they feel that the report will not be taken seriously, or if that person is implicated in the concern) they may report to any other appropriate staff member. For example, this could be a Kenyan Director of the Kenyan NGO Harambee for Kenya or Trustee of the UK charity Harambee for Kenya.

7. Response

7.1 Harambee for Kenya operates a zero-tolerance approach towards inaction and will follow up on all safeguarding reports and concerns according to policy, procedure, and legal and statutory obligations where applicable by relevant country.

7.2 Harambee for Kenya will apply appropriate disciplinary measures to staff, volunteers and contractors found in breach of this or any related policy.

7.3 Harambee for Kenya will offer support to survivors of harm caused by staff or associated representatives, regardless of whether a formal internal response is carried out (such as an internal investigation).

7.4 Harambee for Kenya is committed to taking a survivor centred approach in its responding and handling of incidents and concerns.

8. Accountability

8.1 Safeguarding is a shared responsibility, and all staff and representatives will be held accountable. Ultimately each charity's (NGO & UK) Board of Trustees is responsible for ensuring effective safeguarding measures are in place and are fit for purpose.

9. Confidentiality

9.1 It is essential that confidentiality is maintained at all stages of the process when dealing with safeguarding concerns. Information relating to the concern and subsequent case management will be shared on a need to know basis only and will be kept secure at all times.

9.2 Any breaches of confidentiality will be dealt with seriously and could result in disciplinary actions.